

Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Graham introduced a bill granting preemption privileges to actual settlers. Read 1st and 2nd times and referred to Committee on Public Lands.

Mr. Shelley introduced a bill for the relief of the heirs of Charles Clark deceased. Read 1st and 2nd times and referred to Committee on Private Land Claims.

Mr. Harcourt introduced a joint resolution authorizing the Governor to appoint competent agents for the State to receive and forward to our brave soldiers such articles of clothing, blankets, &c., as may be contributed for their comfort by citizens of the State. Read 1st and 2nd times and referred to the Committee on Military Affairs.

Mr. Darden offered the following resolution: "**Resolved**, That the Committee on Military Affairs be instructed to inquire into the propriety of establishing a depot for the reception of goods forwarded to the Texas Volunteers, and hospitals for the sick at some convenient point out of the State of Texas." Adopted.

On motion of Mr. Parsons the message of Governor Clark was read, and on motion of Mr. Guinn the subjects embraced therein were referred to the appropriate committees.

Mr. Crawford of Jasper moved to have 500 copies of the message printed. Mr. Harcourt moved to amend by substituting 1000 copies. Accepted. Whereupon Mr. Shelley moved to strike out 1000 and insert 500. Carried. The motion was then put and carried.

On motion of Mr. Crawford of Jasper the joint resolution offered by him yesterday relative to business was taken up and made the special order for Monday next at 11 o'clock A. M.

On motion of Mr. Guinn, Mr. Erath was added to the Committee on Military Affairs.

On motion of Mr. Harcourt the Senate adjourned until Monday, 10 o'clock A. M.

Monday, November 11, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called. Quorum present. The journal of Saturday was read and adopted.

A message was received from the House informing the Senate that the House had passed the two following resolutions: "**Resolved, the Senate concurring**, That a joint committee of five from the House and three from the Senate be appointed on the Court of Claims." "**Resolved**, That the Committee on Military Affairs are requested to take

into consideration the passage of some law giving the privilege to hold elections to the citizen soldiers of Texas in the service of our State or the Southern Confederacy in camp or service and report by bill or otherwise and that the Clerk of the House be instructed to communicate to the Senate the passage of this resolution."

Mr. Selman presented a memorial from the officers and attorneys of the District Court of Smith County and introduced accompanying bill changing the time of holding the District Courts in the 9th Judicial District. Read 1st and 2nd times and referred with the memorial to the Judiciary Committee.

Mr. Guinn introduced a bill to amend Article 284 of the Penal Code of the State of Texas. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Jordan introduced a bill to amend an Act authorizing unpaid warrants on the Treasury to bear interest. Approved February 14, 1860. Read 1st and 2nd times and referred to Committee on Finance.

Mr. Parsons introduced a bill to repeal an Act prescribing the order of determining cases in the Supreme Court. Read 1st and 2nd times and referred to the Committee on the Judiciary.

Mr. Burnett introduced a bill to extend the lien of judgments hereafter to be rendered in the several courts of law held within this State and to delay the issuing of execution thereon until the expiration of twelve months after the war. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Guinn offered the following resolution: "**Resolved**, That the Senate will proceed to classify its members under the requirements of the Constitution on Tuesday 12th instant at 12 o'clock M." Adopted.

Mr. Casey offered the following resolution: "**Resolved**, That the Committee on the Judiciary be and they are hereby requested to inquire into the constitutionality and expediency of exempting the property of citizens of this State who are or many be in the military service of the State of Texas or of the Confederate States from forced sale and that they report by bill or otherwise." Adopted.

Mr. Moore offered the following resolution: "**Resolved**, That the Committee on Public Lands inquire into the expediency of extending the time for payment upon preemption claims and report by bill or otherwise." Adopted.

Mr. Burnett offered the following resolution: "**Resolved**, That the Committee on Finance take into consideration the propriety of reducing the number of officers and also the salaries and fees of the officers of the State of Texas

and that they report by bill or otherwise as soon as possible." Adopted.

Mr. Finlay introduced a bill to amend the 2nd section of an Act prescribing the order of determining cases in the Supreme Court, approved February 7, 1861. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Selman introduced a bill relating to the duties of the Judges of the Supreme Court. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Selman offered the following resolution: "**Resolved**, That the Committee on the Judiciary be instructed to take under consideration the propriety of dispensing with the office of Reporter to the Supreme Court as it now is and require the Attorney General to perform that service, and if in their opinion it can be done by him at less expense to the State and the citizens they report by bill as early as practicable." Adopted.

Mr. Hartley offered the following resolution: "**Resolved**, that the Judiciary Committee be instructed to take into consideration the propriety of altering the Constitution so as to increase the number of Judges of the Supreme Court." Adopted.

A message was received from the House informing the Senate that the House had adopted a resolution to go into the election of Confederate States Senators for the State of Texas at 10 o'clock on Tuesday the 12th instant.

On motion of Mr. Guinn the resolution offered by Mr. Crawford of Jasper on Saturday last was taken up. Mr. Shepard moved to refer the resolution to the Committee on Judiciary. Lost. Whereupon Mr. Parsons moved to lay on the table. Carried.

On motion of Mr. Guinn the resolutions reported from the House were taken up. The first resolution was adopted on Mr. Erath's motion and the second on motion of Mr. Lea was referred to the Committee on Militia and Military Affairs.

On motion of Mr. Scarborough, Mr. Durant was added to the Committee on Military Affairs, and on motion of Mr. Branch, Mr. Jordan was added to the Committee on Finance.

On motion of Mr. Weatherford the resolution from the House relative to the election of Senators in the Confederate States Congress was taken up. Mr. Lea moved its reference to the Judiciary Committee, whereupon the yeas and nays were called and stood thus:

YEAS—Messrs. Batte, Branch, Erath, Guinn, Harcourt, Hartley, Jordan, Lea, Reed, Scarborough, Selman, and Shelley—12.

NAYS—Messrs. Boyd, Burnett, Cook, Crawford of Fannin, Crawford of Jasper, Durant, Finlay, Graham, Houston, Mitchell, Moore, Obenchain, Parsons, Shepard, Weatherford, and Wheeler—16.



**John T. Harcourt, District 22  
Chairman, Judiciary Committee**

Photograph from William S. Speer  
and John Henry Brown (eds.) *The  
Encyclopedia of the New West*  
(Marshall, Texas: The United States  
Biographical Publishing Company,  
1881). 156.

Mr. Erath moved to adjourn until 10 o'clock A. M. tomorrow. Lost.

Mr. Burnett moved the adoption of the resolution upon which Mr. Guinn moved a call of the Senate which was sustained. The Senate being full, Mr. Guinn moved to strike out the 12th instant and insert Saturday the 16th instant at 11 o'clock. Mr. Crawford of Jasper moved to lay the amendment on the table upon which Mr. Guinn moved a call of the Senate which was sustained. The Senate being full, Mr. Guinn made a question of order whether Mr. Crawford's motion was in order which the President sustained. Mr. Hartley moved to amend by striking out Tuesday the 12th and inserting Friday the 15th instant at 11 o'clock A. M. Mr. Guinn moved to amend the amendment by substituting Saturday the 16th at 10 A. M. which was accepted. Mr. Burnett moved to lay the amendment on the table upon which the yeas and nays were as follows:

YEAS—Messrs. Burnett, Casey, Cook, Crawford of Fannin, Crawford of Jasper, Durant, Finlay, Graham, Houston, Mitchell, Moore, Parsons, Weatherford, and Wheeler—14.

NAYS—Messrs. Batte, Boyd, Branch, Darden, Erath, Guinn, Harcourt, Hartley, Jordan, Lea, Obenchain, Reed, Scarborough, Selman, Shelley, and Shepard—16.

The amendment was then adopted whereupon the resolution was adopted. On motion of Mr. Hartley the Senate adjourned until 10 o'clock A. M. tomorrow.

Tuesday, November 12, 1862 [1861]

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called, quorum present. The journal of yesterday was read and adopted.

The President announced the following committees: on Indian Affairs, Messrs. Erath, Chairman, Shelley, Reed, Cook, Guinn, Lea, Crawford of Fannin, and Harcourt; Joint Committee on the part of the Senate on the Court of Claims, Messrs. Guinn, Erath, and Mitchell.

Mr. Shelley presented the memorial of Robert Creuzbaur relative to his invention styled the Sea King. Read.

Mr. Harcourt, Chairman of the Committee on the Judiciary, made the following reports:

The Judiciary Committee have considered a bill supplemental to an Act authorizing the issuing of duplicate land warrants and direct me to report the same back to the Senate and recommend its passage.

The Judiciary Committee have considered a bill to amend the 1st section of an Act to amend the 4th section of the Act of May 12, 1846, to regulate the license and practice of attorneys and counsellors at law and to amend